

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA; et al) ORDER,
- vs -) IN RE:-THE PRODUCTION OF
) WITNESSES AND OF DOCU-
) MENTS FOR THE DEFENSE,
ARAKI, Sadao; et al) UNDER CHARTER PROVISION,
) --SECTION III, ARTICLE 9,
) PARAGRAPH E, AND VACAT-
) ING ORDER OF 26 SEPTEM-
) BER 1946.

1. This matter coming on for consideration by the Tribunal upon its own initiation this 24 October 1946, to ascertain and determine the procedure for the production of witnesses and documents for and on behalf of the Accused, and each of them, under and by virtue of the provisions of Section III, Article 9, Paragraph E, of the Charter of the International Military Tribunal for the Far East; it is

2. ORDERED: That each Accused in this case shall, by his respective Counsel of record, make application in writing to the Tribunal for the production of such witnesses and of such documents as he may desire for and on behalf of his defense, under and according to the provisions of Section III, Article 9, Paragraph E, of the Charter of the Tribunal, and

3. The Tribunal will hear and determine the said applications of the respective accused in the Conference Room of the Tribunal at 0900 hours, in manner, and on the dates, here prescribed:-

On Monday, 11 November 1946, the applications of the accused: ARAKI, Sadao; DOHIHARA, Kenji; HASHIMOTO, Kingoro; and HATA, Shunroku; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 4 November 1946.

On Wednesday, 13 November 1946, the applications of the accused: HIRANUMA, Kiichiro; HIROTA, Koki; HOSHINO, Naoki; and ITAGAKI, Seishiro; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 6 November 1946.

On Friday, 15 November 1946, the applications of the accused: KAYA, Okinori; KIDO, Yoichi; KIMURA, Heitaro; and KOISO, Kuniaki; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 8 November 1946.

On Monday, 18 November 1946, the applications of the accused: MATSUI, Iwane; MINAMI, Jiro; MUTO, Akira; and NAGANO, Osami; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 11 November 1946.

On Wednesday, 20 November 1946, the applications of the accused: OKA, Takasumi; OKAWA, Shumei; OSHIWA, Hiroshi; and SATO, Kenryo; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 13 November 1946.

On Friday, 22 November 1946, the applications of the accused: SHIGEMITSU, Mamoru; SHIMADA, Shigetaro; SHIRATORI, Toshio; and SUZUKI, Teiichi; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 15 November 1946.

On Monday, 25 November 1946, the applications of the accused: TOGO, Shigenori; TOJO, Hideki; and UMEZU, Yoshijiro; which applications shall be filed with the General Secretary of the Tribunal not later than 1700 hours on 18 November 1946.

4. By agreement of Counsel for the accused and with the Tribunal's consent, the applications may be taken in an order different from that specified above.

5. Subsequent applications for witnesses or documents may be made up to one month after the evidence for the Prosecution has been closed; but such applications shall not be granted except for good cause shown; and the applicant in every case shall also satisfactorily explain why his application was not made within the time specified

in paragraph 3 hereof; and it is further

6. ORDERED: That the former Order of this Tribunal, made and entered 26 September 1946, for the production of witnesses and documents for the Defense, which is Paper No. 447, be and the same is hereby vacated.

Dated at Tokyo, Japan, this 24 October 1946.

BY THE TRIBUNAL:

/s/ W. F. Webb
PRESIDENT